

REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicants, respectfully, request that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated July 11, 2003 has been received and considered by the Applicants. Claims 1 through 26 are pending in the present application for invention. Claims 9 through 11, 15-17, 25 and 26 are withdrawn from consideration as being drawn to a non-elected invention. Claims 1-3, 12-14 and 18-21 are rejected by the July 11, 2003 Office Action.

Claims 4-8 and 22-24, are objected to under 37 CFR 1.75(c) as being improper because they depend on multiple dependent claims. The foregoing amendment to claims has removed the multiple dependency of these objected to claims

The Office Action objects to the specification due to the Abstract not being in proper language and format. The foregoing amendment to specification has amended the Abstract and the Abstract after amendment is contained in a single paragraph.

The Office Action objects to the title of the invention as being neither precise nor descriptive. The foregoing amendment to the specification has changed the title of the invention to be more precise and descriptive.

Claims 18 is rejected to by the Office Action dated July 11, 2003 under the provisions of 35 U.S.C. §112, second paragraph, as indefinite. Specifically, the Examiner states that the terminology within lines 1-2 of "Recording apparatus for carrying out the method as claimed in anyone of the claims 12 to 17" is confusing and unclear. The foregoing amendment has amended claim 18. Claim 18 after the amendment clearly recites a recording product defined by the method steps of claim 12. The Applicants believe that claim 18 in its current form is definite and clearly recites the invention.

Claims 1 and 12 are rejected by the Office Action dated July 11, 2003 under the provisions of 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,506,907 issued in the name of Ueno et al. (Uneo et al.). Essentially, the Office Action states that Uneo et al. teaches all the recited elements of the rejected claims except the feature of the composite signal being recorded back into the first channel. The Examiner states that both the present invention and

Uneo et al. are directed to separating and combining different audio channels. The Applicants do not concur. The present invention not only relates to separating and combining different audio channels, the present invention pertains to the manner in which different channels are stored, as well as read from the record carrier. Accordingly, independent claims 1 and 12 have been amended to eliminate the term "channel" as used within "first channel" and "second channel". The amended version of claims 1 and 12 currently recites "first physical feature" and "second physical feature", with both first and second physical features clearly recited as being on the record carrier. Additionally, the amended versions of claim 1 and 12 recite that the second physical feature is different from the first physical feature. The Applicants respectfully submit claims 1 and 12, after amendment, recite subject matter that is clearly allowable over the recited reference Uneo et al. The Applicants would like to, respectfully, point out that the terminology used in claims 1 and 12 before the amendment that recited a first channel and a second channel was intended to reference the physical features on the record carrier. Uneo et al. do up not disclose, or suggest, employing different physical features with recording medium to record and store different channels. Therefore, claims 1 and 12 are currently believed to be allowable over the recited reference Uneo et al.

Claims 2-3, 13-14 and 20 are rejected by the Office Action under the provisions of 35 U.S.C. §103 (a) as being obvious over Uneo et al. in view of by U.S. Patent No. 5,889,868 issued in the name of Moskowitz et al. (Moskowitz et al.). Specifically, the Office Action states that Uneo et al. fails to disclose combining the first portion with a stereo signal using buried data techniques and that Moskowitz et al. teaches using buried data techniques. The Examiner states that a person of ordinary skill in the art would have realized the insertion of data into a known channel would have been advantageous. The Applicants would like to, respectfully, point out that the term "channels" as interpreted by the Examiner relates to signals and the combination of signals into "channel". Therefore, the foregoing amendment to claims has replaced the term "channel" with the term "physical feature" to clearly distinguish the present invention from the cited references Uneo et al. and Moskowitz et al. The Applicants would like to, respectfully, point out that Moskowitz et al. deals with digital watermarks and not to the physical format used store data on record carrier as recited by the amended to claims to the present invention. Furthermore, Uneo et al. relates to audio signal encoding and the term channel as used

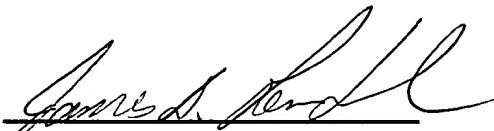
therein refers to audio channels and not physical features on a record carrier used to store information.

Claims 19 and 21 are rejected by the Office Action under the provisions of 35 U.S.C. §103 (a) as being obvious over Uneo et al. in view of Moskowitz et al. and further in view of by U.S. Patent No. 4,672,600 issued in the name of Balston et al. (Balston et al.). Specifically, the Office Action states that Uneo et al. combined with Moskowitz et al. fails to disclose a second reading means for reading the remaining portion but that Balston et al. discloses the use of dual heads. The Applicants would like to, respectfully, point out that Balston et al. relates to optical disk technology, however, there is no disclosure or suggestion within Balston et al. for any manner of storing data on the optical disk using first and second physical features wherein the first and second physical features are different. Accordingly, the Applicants, respectfully, submit that the amended claims recite patentable subject matter in view of the cited references.

New claims 27, 28 and 29 have been added that, respectively, depend from claims 1, 12, and 19. New claims 27, 28 and 29 further define the first and second physical features of the invention as being different optically detectable indicia. These features are fully described in the specification of the present invention, therefore, the addition of new claims 27, 28 and 29 does not result in the addition of new matter into the present application to the present invention. The use of different optically detectable first and second physical features are not disclosed, or suggested, by the cited references, therefore, new claims 27, 28 and 29 are believed to be allowable.

In view of the foregoing amendment and remarks, the Applicants believe that the present application is in condition for allowance, with such allowance being, respectfully, requested.


Respectfully submitted,

By 
James D. Leimbach, Reg. 34,374
Patent Attorney (585) 381-9983

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